

16675

NOTICE OF PROPOSED RULE ADOPTION

STATE OF MISSISSIPPI
SECRETARY OF STATE
Regulation and Enforcement Division



Mississippi Secretary of State
c/o Dave Scott
700 North Street
Jackson, MS 39205
(601) 359-9055
dave.scott@sos.ms.gov

Specific Legal Authority authorizing the promulgation of
Rule: Miss. Code Ann. § 97-17-71(1)(b).
Reference to Rules repealed, amended or suspended by the
Proposed Rule: None.

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule:

The following Rules are hereby adopted by the Secretary of State by the authority granted in Miss. Code Ann. Section 97-17-71(1)(b) (2008). These Rules supersede all rules heretofore adopted and from this date shall be applicable to the administration of the Mississippi Scrap Metal Dealer Registration Act. The procedures and practices expressed in these Rules were drafted by the Regulation and Enforcement Division of the Secretary of State. The adoption of these Rules represents a finding by the Secretary of State that such Rules are necessary and appropriate for the public interest and are consistent with the purposes fairly intended by the policy and provisions of the Mississippi Scrap Metal Dealer Registration Act, codified at Mississippi Code Annotated Sections 97-17-71, *et seq.*

This rule is proposed as a ☐ Final Rule, and/or a ☐ Temporary Rule (Check one or both boxers as applicable.)

Persons may present their views on the proposed rule by addressing written comments to the agency at the above address. Persons making comments should include their name and address, as well as other contact information, and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent. The public comment period is twenty-five (25) days from the file date of this proposal.

Oral Proceeding:

Check one box below:

☒ An oral proceeding is scheduled on this rule on Date: **February 25, 2010** Time: **3:30 p.m.**
Place: **Secretary of State's Office, Second Floor Conference Room, 700 North Street, Jackson, MS 39205**

If you wish to be heard and present evidence at the oral proceeding you must make a written request to the agency at the above address at least **three (3)** day(s) prior to the proceeding to be placed on the agenda. The request should include your name, address, telephone number as well as other contact information; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

☐ An oral proceeding is not scheduled on this rule. Where an oral proceeding is not scheduled, an oral proceeding will be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address and telephone number of the person(s) making the request; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Economic Impact Statement: Check one box below:


☐ The agency has determined that an economic impact statement is not required for this rule, or

☒ The concise summary of the economic impact statement required is attached.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Date Rule Proposed: February 4, 2010

Proposed Effective Date of Rule: April 4, 2010


Signature and Title of Person Submitting Rule for Filing

SOS FORM APA 001
Effective Date 07/29/2005